

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

METROPICS, a brand of T-MOBILE	§	
USA, INC., a Delaware Corporation,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:18-MC-029-K
	§	
ISAIAH MICHAEL THOMAS,	§	
Individually and d/b/a GO PHONEZ,	§	
ZAMIR JEFFERSON, CHRISTOPHER	§	
ALEXANDER T. JOHNSON, BRION R.	§	
BENSON, ROLAN STEPHENS,	§	
KEOSHA LAWSON, and NINA	§	
STEWART,	§	
	§	
Defendants.	§	
	§	
	§	
-----	§	
LORRAINE FRAZIN,	§	
	§	
Movant.	§	

ORDER

Before the Court is Movant Lorraine Frazin's Rule 72 Objections (Doc. No. 22). Movant objects to Magistrate Judge David Horan's ruling on Movant's Motion to Quash Subpoena and for Supplemental Relief (Doc. No. 1), Movant's Motion to Strike Sutton Declaration (Doc. No. 11), and Plaintiff's Motion to Compel Discovery (Doc. No. 7). In a 56-page Memorandum Opinion and Order, Magistrate Judge Horan ultimately granted Movant's motion to quash subpoena and for supplemental relief, denied Movant's

motion to strike, and denied Plaintiff's motion to compel. In addition, Magistrate Judge Horan found there was no basis to impose any sanctions related to any of the motions before him, and ordered the parties to bear their own costs, including attorneys' fees. Movant now objects that: (1) Magistrate Judge Horan applied the wrong legal standard regarding attorneys' fees incurred for successfully defending against Plaintiff's motion to compel; and (2) Magistrate Judge Horan applied the wrong or simply no legal standard regarding a "fictitious certificate of conference" filed by Plaintiff with its motion.

A court may modify or set aside a magistrate judge's ruling on a nondispositive pretrial matter only when the ruling is shown to be "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); FED. R. CIV. P. 72(a); *Castillo v. Frank*, 70 F.3d 382, 385 (5th Cir. 1995). The Court has carefully considered Movant's objections, Plaintiff's response, Movant's reply, the Magistrate Judge's order, and the applicable law. The Court has determined that the Magistrate Judge Horan's order is neither clearly erroneous nor contrary to law. Therefore, Movant's objections are **overruled**, and the Magistrate Judge's order is affirmed in all respects.

SO ORDERED.

Signed August 13th, 2018.



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UNITED STATES DISTRICT JUDGE